

(7) The certificate holder has actual or potential take or pay liability; and

(8) The sale is subject to interruption by the certificate holder to the extent that natural gas subject to the sale is required to provide adequate service to the certificate holder's on-system customers at the time of the sale.

(b) *Contents of request.* In addition to the requirements of §157.205(b), requests filed for activities described in paragraph (a) of this section shall contain:

(1) The identity of the seller and buyer;

(2) The dates of commencement and anticipated termination of the sale;

(3) The estimated total and daily quantities (in MMBtu's) of natural gas to be sold in the transaction;

(4) The rate to be charged and the applicable rate schedules;

(5) An affidavit that service pursuant to the sale is subject to interruption to the extent that natural gas subject to the sale under this section is required to enable the certificate holder to provide adequate service to its on-system customers;

(6) The total quantity of gas being sold in transactions authorized by this section at the time of the request;

(7) A copy of the contract, if the identity of the buyer is known;

(8) A statement quantifying the extent of actual or potential take-or-pay liability;

(9) A gas supply/requirements balance demonstrating a sufficient surplus such that service to the certificate holder's on-system customers will not be affected by the proposed sale; and

(10) Identification of delivery points.

[Order 319, 48 FR 34890, Aug. 1, 1983]

§ 157.211 Sales taps.

(a) *Construction and operation—(1) Automatic authorization.* The certificate holder may construct and operate sales taps for the delivery of gas to an end-user, if:

(i) The natural gas is ultimately delivered to, and consumed by, a right-of-way grantor; and

(ii) Not more than 200 MMBtu of natural gas per day are to be delivered to the right-of-way grantor.

(2) *Prior notice.* Subject to the notice procedure of §157.205, the certificate

holder may construct and operate sales taps for service to end-users other than a right-of-way grantor, if:

(i) The natural gas is ultimately consumed by an end-user that is, or will be, served directly or indirectly from the general system supply of the certificate holder, or the natural gas is being delivered to a shipper for whom the certificate holder is, or will be, authorized to transport gas;

(ii) The volumes delivered are within the certificated entitlements of the customer; and

(iii) The certificate holder's tariffs do not prohibit the addition of new delivery points.

(b) *Contents of request.* In addition to the requirements of §157.205(b), requests for activities authorized under paragraph (a)(2) must contain:

(1) The name of any distributor or the end-user and the location of all proposed sales taps;

(2) The authority for the current service to the distributor or end-user;

(3) The quantity of gas to be delivered through the proposed facility;

(4) The rate or rate schedules applicable to the service made through the proposed tap; and

(5) A description, with supporting data, of the impact of the service rendered through the proposed sales tap upon the certificate holder's peak day and annual deliveries.

(c) *Reporting requirements.* As part of the certificate holder's annual report of projects authorized under paragraph (a)(1) of this section, the certificate holder must report in the manner prescribed in §§157.6(a) and 385.2011 of this chapter:

(1) The name of the end-user;

(2) The maximum daily volumes to be sold; and

(3) The actual cost of the sales tap and date placed in service.

(d) *Indirect customers.* The authorization in paragraphs (a) and (b) of this section applies irrespective of whether the certificate holder sells the natural gas directly to the end-user or the natural gas is delivered to the end-user for the account of a local distribution company.

[Order 436, 50 FR 42491, Oct. 18, 1985, as amended by Order 493, 53 FR 15030, Apr. 27, 1988]